



General Assembly

January Session, 2001

**Amendment**

LCO No. 7307

Offered by:

REP. MILLER, 122<sup>nd</sup> Dist.  
REP. WARD, 86<sup>th</sup> Dist.  
SEN. SMITH, 14<sup>th</sup> Dist.  
SEN. GUNTHER, 21<sup>st</sup> Dist.  
REP. HARKINS, 120<sup>th</sup> Dist.  
REP. ROWE, 123<sup>rd</sup> Dist.  
REP. STONE, 134<sup>th</sup> Dist.  
REP. KLARIDES, 114<sup>th</sup> Dist.  
REP. SHEA, 112<sup>th</sup> Dist.  
REP. COLLINS, 117<sup>th</sup> Dist.  
REP. FERRARI, 62<sup>nd</sup> Dist.  
REP. BOUCHER, 143<sup>rd</sup> Dist.

REP. HEAGNEY, 16<sup>th</sup> Dist.  
REP. SAN ANGELO, 131<sup>st</sup> Dist.  
REP. POWERS, 151<sup>st</sup> Dist.  
REP. O'NEILL, 69<sup>th</sup> Dist.  
REP. ROY, 119<sup>th</sup> Dist.  
REP. BACKER, 121<sup>st</sup> Dist.  
REP. FLAHERTY, 68<sup>th</sup> Dist.  
REP. WASSERMAN, 106<sup>th</sup> Dist.  
REP. BELDEN, 113<sup>th</sup> Dist.  
REP. TONUCCI, 104<sup>th</sup> Dist.  
REP. AMANN, 118<sup>th</sup> Dist.  
REP. FLOREN, 149<sup>th</sup> Dist.

To: Subst. House Bill No. 6984

File No. 148

Cal. No. 134

**"AN ACT CONCERNING CHANGES TO THE STATE FIRE SAFETY CODE."**

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- 1 In line 1, before "(NEW)" insert "Section 1."
- 2 After line 2, insert the following:
- 3 "Sec. 2. Subsection (l) of section 8-30g of the general statutes is
- 4 repealed and the following is substituted in lieu thereof:
- 5 (l) (1) Notwithstanding the provisions of subsections (a) to (j),

6 inclusive, of this section, the affordable housing appeals procedure  
7 established under this section shall not be applicable to an affordable  
8 housing application filed with a commission during a moratorium,  
9 which shall be the three-year period after (A) a certification of  
10 affordable housing project completion issued by the commissioner is  
11 published in the Connecticut Law Journal, or (B) after notice of a  
12 provisional approval is published pursuant to subdivision (4) of this  
13 subsection.

14 (2) Notwithstanding the provisions of this subsection, such  
15 moratorium shall not apply to (A) affordable housing applications for  
16 assisted housing in which ninety-five per cent of the dwelling units are  
17 restricted to persons and families whose income is less than or equal to  
18 sixty per cent of median income, (B) other affordable housing  
19 applications for assisted housing containing forty or fewer dwelling  
20 units, or (C) affordable housing applications which were filed with a  
21 commission pursuant to this section prior to the date upon which the  
22 moratorium takes effect.

23 (3) Eligible units completed after a moratorium has begun may be  
24 counted toward establishing eligibility for a subsequent moratorium.

25 (4) (A) The commissioner shall issue a certificate of affordable  
26 housing project completion for the purposes of this subsection upon  
27 finding that there has been completed within the municipality one or  
28 more affordable housing developments which create housing unit-  
29 equivalent points equal to the greater of two per cent of all dwelling  
30 units in the municipality, as reported in the most recent United States  
31 decennial census, or seventy-five housing unit-equivalent points.

32 (B) A municipality may apply for a certificate of affordable housing  
33 project completion pursuant to this subsection by applying in writing  
34 to the commissioner, and including documentation showing that the  
35 municipality has accumulated the required number of points within  
36 the applicable time period. Such documentation shall include the  
37 location of each dwelling unit being counted, the number of points

each dwelling unit has been assigned, and the reason, pursuant to this subsection, for assigning such points to such dwelling unit. Upon receipt of such application, the commissioner shall promptly cause a notice of the filing of the application to be published in the Connecticut Law Journal, stating that public comment on such application shall be accepted by the commissioner for a period of thirty days after the publication of such notice. Not later than ninety days after the receipt of such application, the commissioner shall either approve or reject such application. Such approval or rejection shall be accompanied by a written statement of the reasons for approval or rejection, pursuant to the provisions of this subsection. If the application is approved, the commissioner shall promptly cause a certificate of affordable housing project completion to be published in the Connecticut Law Journal. If the commissioner fails to either approve or reject the application within such ninety-day period, such application shall be deemed provisionally approved, and the municipality may cause notice of such provisional approval to be published in a conspicuous manner in a daily newspaper having general circulation in the municipality, in which case, such moratorium shall take effect upon such publication. The municipality shall send a copy of such notice to the commissioner. Such provisional approval shall remain in effect unless the commissioner subsequently acts upon and rejects the application, in which case the moratorium shall terminate upon notice to the municipality by the commissioner.

(5) For purposes of this subsection, "elderly units" are dwelling units whose occupancy is restricted by age and "family units" are dwelling units whose occupancy is not restricted by age.

(6) For purposes of this subsection, housing unit-equivalent points shall be determined by the commissioner as follows: (A) No points shall be awarded for a unit unless its occupancy is restricted to persons and families whose income is equal to or less than eighty per cent of median income, except that unrestricted units in a set-aside development shall be awarded one-fourth point each. (B) Family units restricted to persons and families whose income is equal to or less than

72 eighty per cent of median income shall be awarded one point if an  
73 ownership unit and one and one-half points if a rental unit. (C) Family  
74 units restricted to persons and families whose income is equal to or  
75 less than sixty per cent of median income shall be awarded one and  
76 one-half points if an ownership unit and two points if a rental unit. (D)  
77 Family units restricted to persons and families whose income is equal  
78 to or less than forty per cent of median income shall be awarded two  
79 points if an ownership unit and two and one-half points if a rental  
80 unit. (E) Elderly units restricted to persons and families whose income  
81 is equal to or less than eighty per cent of median income shall be  
82 awarded one-half point. (F) A set-aside development containing family  
83 units which are rental units shall be awarded additional points equal  
84 to twenty-two per cent of the total points awarded to such  
85 development, provided the application for such development was filed  
86 with the commission prior to July 6, 1995. (G) Each unit in an  
87 affordable housing development that has a property line within two  
88 hundred fifty feet of a railroad station, shall be awarded one-half  
89 point.

90 (7) Points shall be awarded only for dwelling units which were (A)  
91 newly-constructed units in an affordable housing development, as that  
92 term was defined at the time of the affordable housing application, for  
93 which a certificate of occupancy was issued after July 1, 1990, or (B)  
94 newly subjected after July 1, 1990, to deeds containing covenants or  
95 restrictions which require that, for at least the duration required by  
96 subsection (a) of this section for set-aside developments on the date  
97 when such covenants or restrictions took effect, such dwelling units  
98 shall be sold or rented at, or below, prices which will preserve the  
99 units as affordable housing for persons or families whose income does  
100 not exceed eighty per cent of median income.

101 (8) Points shall be subtracted, applying the formula in subdivision  
102 (6) of this subsection, for any affordable dwelling unit which, on or  
103 after July 1, 1990, was affected by any action taken by a municipality  
104 which caused such dwelling unit to cease being counted as an  
105 affordable dwelling unit.

106       (9) A newly-constructed unit shall be counted toward a moratorium  
107       when it receives a certificate of occupancy. A newly-restricted unit  
108       shall be counted toward a moratorium when its deed restriction takes  
109       effect.

110       (10) The affordable housing appeals procedure shall be applicable to  
111       affordable housing applications filed with a commission after a three-  
112       year moratorium expires, except (A) as otherwise provided in  
113       subsection (k) of this section, or (B) when sufficient unit-equivalent  
114       points have been created within the municipality during one  
115       moratorium to qualify for a subsequent moratorium.

116       (11) The commissioner shall, within available appropriations, adopt  
117       regulations in accordance with chapter 54 to carry out the purposes of  
118       this subsection. Such regulations shall specify the procedure to be  
119       followed by a municipality to obtain a moratorium, and shall include  
120       the manner in which a municipality is to document the units to be  
121       counted toward a moratorium. A municipality may apply for a  
122       moratorium in accordance with the provisions of this subsection prior  
123       to, as well as after, such regulations are adopted."